

Serial No.: 10/822,004
Docket No.: 101-1028
Amendment dated July 7, 2008
Reply to the Office Action of May 7, 2008

REMARKS

Introduction

Applicant also notes with appreciation the Examiner's indication that each of the references cited in the Information Disclosure Statement of February 5, 2008, have been considered.

Upon entry of the foregoing amendment, claims 1-18 and 40-41 are pending in the application. Claim 1 and has been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the claim amendments: (a) place this application in condition for allowance (for the reasons discussed herein), (b) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution as indicated in the Final Office Action), (c) present the rejected claims in better form for consideration on appeal (should an appeal be necessary), and (d) are necessary and were not earlier presented because they are made in response to arguments raised in the Final Office Action.

Accordingly, for at least the reasons discussed above, entry of this Amendment is respectfully requested.

Pending Claims

Although the Examiner indicated in the Office Action Section of the Final Office Action mailed on May 7, 2008, that the pending claims are 1-18 and 40, since the Amendment filed on February 21, 2008 includes a new claim 41, it is respectfully submitted that the pending claims are 1-18 and 40-41 since the Amendment filed on February 21, 2008 includes a new claim 41. Accordingly, Applicants respond the Final Office Action with assumption that the pending claims are 1-18 and 40-41.

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Rejection under 35 USC §102

Claims 1, 3, 5 through 6 and 40 have been rejected under 35 U.S.C. §102(b) as being anticipated by Abe et al., U.S. Patent Publication No. 0223/0086732 (hereinafter "Abe"). Applicants respectfully traverse the rejection for at least the following reasons.

Independent claim 1

Independent claim 1 has been amended to recite "an intermediate transfer unit detachably installed at a transfer unit operating position in the internal space of the main frame through the upper side of the main frame independently from the photosensitive drum unit after the photosensitive drum unit has been disposed in the drum operation position in the internal space of the main frame, and having a transfer belt to which a toner image is transferred from the photosensitive drum and with which the photosensitive drum comes in contact with when the intermediate transfer unit is installed separately from the photosensitive drum unit in the internal space."

Although Abe shows a transfer unit 9 and image carrier unit 67 in FIGS. 6-11, the transfer unit 9 and the image carrier unit 67 of Abe do not move independently when being installed inside the housing body 2, but move together when being installed inside the housing body 2. See paragraphs 0070 through 0073 of Abe. However, Applicants' intermediate transfer unit is installed independently from the photosensitive drum unit as recited in independent claim 1.

Therefore, Abe does not disclose or suggest Applicant's intermediate transfer unit as recited in independent claims 1 and 40, independent claims 1 and 40 are patentably distinguishable from Abe and deemed to be allowable.

Dependent claims 3 and 5 are also deemed to be allowable due to at least their dependency of allowable independent claim 1.

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Independent claim 40

Applicants respectfully submit that Abe et al. fails to show Applicants' single photosensitive drum as recited in independent claim 40. It is also submitted that Abe et al. shows image carrier unit 67 having four image carriers 17, and that the four image carriers 17 of Abe et al. cannot correspond to Applicants' single photosensitive drum. Therefore, claim 40 is patentably distinguishable from Abe et al. and deemed to be allowable.

Although the Examiner did not mention with respect to claim 41, it is respectfully submitted that claim 41 is also deemed to be allowable due to at least its dependency of allowable independent claim 40.

Accordingly, reconsideration and withdrawal of the rejection and allowance of these claims are earnestly solicited.

Claims 1 and 40 have been rejected under 35 U.S.C. §102(b) as being anticipated by Park et al., U.S. Patent Publication No. 2004/0009008 (hereinafter "Park"). Applicants respectfully traverse the rejection for at least the following reasons.

The publication date of Park is January 15, 2004, and the date of this application for patent in the United States is April 12, 2004. According to 35 U.S.C. §102(b), a person shall be entitled to a patent unless:

the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

Since the Park's publication date of January 15, 2004 is not more than one year prior to this application's US filing date of April 12, 2004, Park cannot be used to reject claims 1 and 40 of this application under 35 U.S.C. §102(b).

In addition, this application and Park was owned by the same Assignee when the invention of this application was made, and therefore Park cannot be used to reject claims 1 and 40 of this application.

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Accordingly, reconsideration and withdrawal of the rejection and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claims 2, 4 and 7 through 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Abe and further in view of Nonami. Applicants respectfully traverse the rejection for at least the following reasons.

As described above, since independent claim 1 is deemed to be allowable, claims 2, 4, and 7 through 13 are also deemed to be allowable due to at least their dependency of allowable independent claim 1.

Accordingly, reconsideration and withdrawal of the rejection and allowance of these claims are earnestly solicited.

Claims 14 through 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Abe or Park in view of Hamano. Applicants respectfully traverse the rejection for at least the following reasons.

As described above, since independent claim 1 is deemed to be allowable, claims 2, 4, and 7 through 13 are also deemed to be allowable due to at least their dependency of allowable independent claim 1.

Accordingly, reconsideration and withdrawal of the rejection and allowance of these claims are earnestly solicited.

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Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to out Deposit Account No. 502827.

Respectfully submitted,

STANZIONE & KIM, LLP

Dated: July 7, 2008
919 18th St., NW, Suite 440
Washington, DC 20006
Telephone: (202) 775-1900
Facsimile: (202) 775-1901

By: 

Seungman Kim
Registration No. 50,012